

2018 Oct-22 AM 10:19
U.S. DISTRICT COURT
N.D. OF ALABAMA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

LUTHER S. PATE,

Plaintiff,

V.

MARK TOTO, *et al.*,


Defendants.

7:16-cv-1171-LSC

MEMORANDUM OF OPINION AND ORDER

Before the Court is Defendants' Motion for Reconsideration of Denial of Summary Judgment on Plaintiff's Breach of Contract Claim. (Doc. 73.) In the motion, Defendants ask the Court to reconsider its denial of summary judgment on Pate's breach of contract claim on statute of limitations grounds. Specifically, Defendants ask the Court to reconsider its holding that if Ala. Code § 6-2-3 applies, Pate timely filed his breach of contract claim. After review of the motion and all relevant pleadings, the Court DENIES Defendants' Motion for Reconsideration.

DONE and **ORDERED** on October 22, 2018.



L. Scott Coogler
United States District Judge

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